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Fifty-first session

LAW OF THE SEA

Letter dated 9 January 1996 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to submit the text of a document related to the issue of navigation in the Black Sea Straits (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under the agenda item entitled "Law of the sea".

(Signed) S. LAVROV

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ANNEX

The Russian side has drawn attention to the appearance of General Assembly document A/50/809 of 8 December 1995, which explains the position of the Turkish Government regarding navigation in the Black Sea Straits and the action taken in that respect by the Turkish authorities. In this connection, the Russian side confirms that its views on this issue, as set forth in document A/50/754 of 14 November 1995, remain unchanged. Accordingly, the detailed arguments adduced in that document need not be repeated, and the response can at this stage be confined to the following points.

Document A/50/809 sets out in great detail considerations relating to the need to ensure safety of navigation in the Black Sea Straits. The Russian side also proceeds on the assumption that such safety of navigation must be ensured. This is indeed an important problem, and precisely for this reason it is being dealt with in detail by the International Maritime Organization (IMO) (in particular the IMO Maritime Safety Committee), which exercises the relevant competence with regard to ensuring the safety of navigation. Thus, on 23 November 1995, at its nineteenth session, the IMO Assembly adopted without a vote a resolution on the question of navigation in the Black Sea Straits. The resolution inter alia confirms the Rules and Recommendations on Navigation through the Straits drawn up by IMO and previously adopted by it. At the same time, it emphasizes that national regulations for navigation in Straits should be in total conformity with the IMO rules and recommendations.

The essence of the issue raised in the Russian document of 14 November 1995 (A/50/754) is something different. The document emphasizes that a State must discharge its obligations under international treaties and abide by the universally recognized principles and norms of international law, which are embodied in particular in the 1982 United Nations Convention on the Law of the Sea.

The Turkish document, A/50/809, is apparently designed to dispel all the existing doubts in this respect. It indicates in paragraph 18 that "the Turkish Regulations [which have been enacted in the form of a law] are fully in line with applicable international law and freedom of navigation. The Regulations uphold the 1936 Montreux Convention and in no way infringe upon its provisions. They are not aimed at restricting or impairing the right of navigation."

However, this statement does not reflect the true state of affairs. Article 2 of the Montreux Convention provides that "... merchant vessels shall enjoy complete freedom of transit and navigation in the Straits, by day and by night, under any flag and with any kind of cargo". The Regulations adopted by Turkey, however, provide for what are in essence procedures for regulating passage through the Straits by certain categories of merchant vessels. Furthermore, under the terms of the Turkish Regulations, the Straits may be completely closed to navigation for an unspecified period on various grounds which are for the most part artificial and unjustified in nature.

The Russian side wishes to emphasize once again that, in drawing the attention of the United Nations to this issue, it is guided solely by the desire

to prevent a situation arising which could lead to tension in the region. We have no doubt that Turkey, like the Russian Federation and the other countries of the region, endeavours to build its relations on a basis of good-neighbourliness and cooperation. However, the difficulties that have arisen can be overcome not by unilateral action, but through constructive dialogue, for which the Russian side is always ready.

The Russian side notes Turkey's reluctance to acknowledge the fact that the problem which has arisen in connection with the regime for navigation through the Black Sea Straits has its origin not in a "purely technical issue", as is stated in paragraph 39 of document A/50/809, but in a point of principle relating to the discharge by a State of its obligations under international treaties. In this context, the Russian Federation considers that the General Assembly is an entirely appropriate forum for dealing with this issue.

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GENERAL ASSEMBLY
Fifty-first session
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-first year

Letter dated 23 January 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter addressed to you concerning Israeli acts of aggression in southern Lebanon for the period covering the second half of December 1995.

I have the honour to request that this letter be circulated as an official document of the General Assembly, under the item entitled "The situation in the Middle East", and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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ANNEX

Letter dated 23 January 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning repeated Israeli attacks on southern Lebanon and western Bekaa, I have the honour to notify you of a series of Israeli attacks that occurred in the second half of December 1995.

16 December 1995

Land belonging to Majdal Silm, Sawwanah and Qabrikha came under Israeli artillery bombardment while Israeli aircraft overflew the town and camps at Sidon.

18 December 1995

Israeli aircraft overflew land belonging to Ba'abda.

The periphery of the abandoned Lebanese Army barracks at Nabatiyah al-Fawqa came under Israeli artillery bombardment.

20 December 1995

At 1030 hours, Israeli military aircraft overflew land belonging to Iqlim al-Tuffah.

At 1340 hours, Israeli military aircraft overflew the town and camps at Sidon.

At 2100 hours, land belonging to Qabrikha, Majdal Silm and Tulin came under Israeli artillery bombardment.

At 2130 hours, the hills south of Mashgharah and Ayn al-Tinah came under Israeli artillery bombardment.

22 December 1995

Land belonging to Sawwanah, Qabrikha, Tulin, Majdal Silm, Shaqra and Bra'shit came under Israeli artillery bombardment.

Lahad forces combed the town of Kafr Hunah.

24 December 1995

At 1130 hours, a number of Israeli artillery rockets fell on land belonging to Muhtaqara, Bakifa and Mazra'at al-Dahr in the Shuf district.

At 1200 hours, Lahad forces combed the area around their centre in the Anan-Jazzin region.

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At 1300 hours, land belonging to Arabsalim, Jarju' and Ayn Bu Siwar came under Israeli artillery bombardment.

At 1445 hours, three Israeli rockets fell on land belonging to Jun and Shuf.

25 December 1995

At 0730 hours, land belonging to Qabrikha, Majdal Silm, Sawwanah, Shaqra, Bra'shit and Tulin came under Israeli artillery bombardment.

At 1135 hours, Israeli military aircraft overflew the western Bekaa, breaking the sound barrier.

26 December 1995

Land belonging to Nabatiyah al-Fawqa, the periphery of the Army barracks and the vicinity of the slaughterhouse in the town of Nabatiyah came under Israeli artillery bombardment.

27 December 1995

The periphery of Yuhmur, Arnun and Mazra'at al-Hamra came under Israeli artillery bombardment. The periphery of Habbush, Kafr Man and Nabatiyah al-Fawqa, the abandoned Lebanese Army barracks at Nabatiyah and land belonging to Kafr Tibnit, Zawtar al-Sharqiyah, Zawtar al-Gharbiyah, Yuhmur and Arnun came under Israeli artillery bombardment.

28 December 1995

Land belonging to Haddathah, Ayta al-Jabal, Tibnin, Haris, Kafra and Yatar came under Israeli artillery bombardment.

The Lebanese Government strongly condemns the continuation of the Israeli attacks that have caused significant damage to property and strongly condemns the arbitrary practices against civilians. This new series of attacks comes in addition to earlier attacks and constitutes a blatant infringement of Lebanon's sovereignty and independence and a new and flagrant violation of international law and human rights.

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Fifty-first session

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION:
SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

Letter dated 18 January 1996 from the Permanent Representatives of the Islamic Republic of Iran and the Russian Federation to the United Nations addressed to the Secretary-General

Upon instructions from our Governments, we have the honour to submit the text of the Joint Russian-Iranian Statement on the Caspian Sea signed by the Deputy Prime Minister of the Russian Federation, Mr. A. Bolshakov, and the Minister for Foreign Affairs of the Islamic Republic of Iran, Dr. Ali Akbar Velayati, on 30 October 1995 at Teheran (see annex).

We should be grateful if the text of the present letter and its annex could be circulated as a document of the fifty-first session of the General Assembly under the item entitled "Sustainable development and international economic cooperation: science and technology for development".

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative of
the Islamic Republic of Iran
to the United Nations

(Signed) Sergey V. LAVROV
Ambassador
Permanent Representative of
the Russian Federation
to the United Nations

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ANNEX

Joint Russian-Iranian Statement on the Caspian Sea, issued at Teheran on 30 October 1995

[Original: Russian]

Russian-Iranian talks were held at Teheran from 29 to 31 October 1995 concerning issues related to the legal status of the Caspian Sea and the arrangement of cooperation among Caspian coastal States. The parties reached the following mutual understanding:

1. The problems of the legal status and regime of the Caspian Sea, which is a unique body of water, are of a purely regional nature. Any issues relating to regulation of the uses of the Caspian Sea and its resources shall be decided, in the context of international treaties, jointly by all the Caspian coastal States (Russia, Iran, Azerbaijan, Kazakstan and Turkmenistan), bearing in mind their equal rights and mutual interests. All rights with respect to the Caspian Sea and its resources belong to the coastal States, and only they are entitled to lay down rules for activity in the Caspian.

2. Mutual relations between the coastal States in the Caspian Sea shall be governed by the principles of respect for State sovereignty, good-neighbourliness, mutually beneficial cooperation, partnership on an equal footing, and the non-use of force or the threat of force. The Caspian Sea shall be used exclusively for peaceful purposes.

3. The coastal States alone have strategic interests in the Caspian Sea, and no claims by other States in this connection may be entertained. Third countries shall not be entitled to dictate to the coastal States in what forms and by what methods use shall be made of the Caspian.

4. The coastal States shall be directly responsible for preserving the unique ecosystem of the Caspian Sea. No activity shall be conducted in such a manner as to damage the Sea's natural environment.

5. All issues relating to the Caspian Sea, including determination of its legal status, shall be settled on the basis of consensus among all the coastal States.

6. Consultations should be continued on the elaboration and conclusion of separate agreements concerning preservation of the Caspian Sea ecosystem and living resources, as well as navigation on the Sea.

7. Rules shall be worked out for the exploitation of Caspian Sea mineral resources; until such time as the rules are worked out, unilateral actions by coastal States shall not be permitted. Coastal countries may not undertake actions leading to a division of the Caspian Sea without the agreement of all the other coastal countries.

8. An organization should be established for cooperation among the Caspian coastal States and an effective permanent mechanism determined for coordination of their actions.

9. Five-party consultations need to continue, on a rotating basis, for the purpose of updating the legal status of the Caspian Sea.

(Signed) A. A. BOLSHAKOV
Deputy Prime Minister
of the Russian Federation

(Signed) A. A. VELAYATI
Minister for Foreign Affairs
of the Islamic Republic of Iran